

UNITED STATES DISTRICT COURT
OF MASSACHUSETTS

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

2004 JUN 18 P 2:35

ERNST JOSEPH,)	
)	
Petitioner)	
)	Civil Action No.
v.)	04-cv-11275-GAO
)	
JOSEPH F. MCDONOUGH, SHERIFF,)	
PLYMOUTH COUNTY,)	
)	
Respondent)	

MOTION TO DISMISS

Respondent¹ moves to dismiss this action pursuant to Fed. R. Civ. P. rule 12(b)(1) for mootness.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By:

FRANK CROWLEY
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¹ The responsive official of the Department of Homeland Security having control of petitioner's immigration custody in the instant action is Bruce Chadbourne, Field Director for Detention and Removal, Bureau of Immigration and Customs Enforcement ("ICE") in Boston, Massachusetts.

CERTIFICATE OF SERVICE

I hereby certify that I caused true copy of the above document to be served upon pro se petitioner by mail on June 18, 2004.



FRANK CROWLEY
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